

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
McALLEN DIVISION**

|                   |   |                          |
|-------------------|---|--------------------------|
| <b>IN RE:</b>     | § |                          |
|                   | § |                          |
| <b>SHEA, LTD.</b> | § | <b>CASE NO. 12-70471</b> |
|                   | § |                          |
| <b>DEBTORS</b>    | § | <b>Chapter 11</b>        |

**DEBTOR'S OBJECTION TO PROOFS OF CLAIM  
FILED BY RIOPROP VENTURES, LLC (POCs #1, #2, #3 & #4)**

THIS IS AN OBJECTION TO YOUR CLAIM. THE OBJECTING PARTY IS ASKING THE COURT TO DISALLOW THE CLAIM THAT YOU FILED IN THIS BANKRUPTCY CASE. YOU SHOULD IMMEDIATELY CONTACT THE OBJECTING PARTY TO RESOLVE THE DISPUTE. IF YOU DO NOT REACH AN AGREEMENT, YOU MUST FILE A RESPONSE TO THIS OBJECTION AND SEND A COPY OF YOUR RESPONSE TO THE OBJECTING PARTY WITHIN 30 DAYS AFTER THE OBJECTION WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE OBJECTION IS NOT VALID. IF YOU DO NOT FILE A RESPONSE WITHIN 30 DAYS AFTER THE OBJECTION WAS SERVED ON YOU, YOUR CLAIM MAY BE DISALLOWED WITHOUT A HEARING.

A HEARING HAS BEEN SET ON THIS MATTER ON **JANUARY 22, 2014, at 9:00 A.M.** BEFORE THE HONORABLE RICHARD S. SCHMIDT, U.S. BANKRUPTCY JUDGE, 1701 WEST BUSINESS HWY 83, 9<sup>TH</sup> FLOOR, McALLEN, TEXAS 78501.

TO THE HONORABLE RICHARD S. SCHMIDT, UNITED STATES BANKRUPTCY JUDGE:

Pursuant to 11 U.S.C. §§ 105(a) and 502 and Fed. R. Bankr. P. 3007, Shea, Ltd., Debtor ("Debtor"), files this its objection to the Proofs of Claim filed by RioProp Ventures, LLC ("Claimant") and will respectfully show the Court as follows:

1. Debtor Shea, Ltd. filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code on August 6, 2012 (the "Date of Petition"). From and since the Date of Petition, the Debtor has maintained possession of its property, and has continued to remain in control of its ongoing business affairs as a Debtor-in-possession pursuant to the provisions of 11 U.S.C. §§ 1107 and 1108.

2. This Court has jurisdiction over this Objection pursuant to 28 U.S.C. § 1334.

This Court may hear and determine this Objection under the standing order of referenced issued by the United States District Court for the Southern District of Texas under 28 U.S.C. § 157. This matter is a "core proceeding" as that term is defined in 28 U.S.C. § 157(b). Venue of this proceeding is proper in this district under 28 U.S.C. §§ 1408 and 1409.

3. On or about September 25, 2012, RioProp Ventures, LLC filed its secured proof claim #1 in the amount of \$23,214.77. A true and correct copy of the proof of claim with exhibits is attached hereto as Exhibit A.

4. On or about September 25, 2012, RioProp Ventures, LLC filed its secured proof claim #2 in the amount of \$8,378.40. A true and correct copy of the proof of claim with exhibits is attached hereto as Exhibit B.

5. On or about September 26, 2012, RioProp Ventures, LLC filed its secured proof claim #3 in the amount of \$67,530.82. A true and correct copy of the proof of claim with exhibits is attached hereto as Exhibit C.

6. On or about September 26, 2012, RioProp Ventures, LLC filed its secured proof claim #4 in the amount of \$56,289.05. A true and correct copy of the proof of claim with exhibits is attached hereto as Exhibit D.

7. Debtor files this objection to the proofs of claims of Claimant. Specifically, Debtor asserts that the claims of Claimant should be disallowed because the Claimant is no longer owed by the Debtor. In support of Debtor's Objection, attached hereto as Exhibit E is the Affidavit of Hector Casas, Trustee of the Shea Management Trust, General Partner of the Debtor.

WHEREFORE, Debtor requests that its objection be sustained; that the proofs of claim

made the subject of this Objection be disallowed; and for such other and further relief as the Court deems just.

Respectfully submitted this 27<sup>th</sup> day of November, 2013.

**FUQUA & ASSOCIATES, P.C.**

By: /s/ Richard L. Fuqua  
Richard L. Fuqua  
State Bar #07552300  
5005 Riverway, Suite 250  
Houston, Texas 77056  
Phone: 713.960-0277  
Facsimile: 713.960-1064

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Objection was served by first class mail to the parties listed below this 27<sup>th</sup> day of November, 2013. Subscribers to the Court's electronic noticing systems received notice via that system.

RioProp Ventures, LLC  
c/o John R. Lane, Jr.  
John Lane & Associates  
8526 N. New Braunfels  
San Antonio, TX 78217

RioProp Ventures, LLC  
c/o Karis H. Edeen  
John Lane & Associates  
8526 N. New Braunfels  
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Propel Financial Services, L.L.C.  
P.O. Box 100350  
San Antonio, TX 78206

/s/ Richard L. Fuqua  
Richard L. Fuqua